

**PLANNING APPLICATIONS COMMITTEE**

Wednesday, 7 August 2024

**PRESENT** – Councillors Haszeldine (Chair), Anderson, Beckett, Cossins, Kane, Laing, Lee, McCollom, Robinson and Tostevin.

**APOLOGIES** – Councillors Ali, Allen, Bartch and Lawley.

**ALSO IN ATTENDANCE** – Councillor Snedker.

**OFFICERS IN ATTENDANCE** – Dave Coates (Head of Planning, Development and Environmental Health), Stephen Foster (Principal Lawyer (Commercial) and Procurement Management), Andrew Errington (Lawyer (Planning)), Arthur Howson (Engineer (Traffic Management)) and Paul Dalton (Democratic and Elections Officer).

**PA12 DECLARATIONS OF INTEREST**

There were no declarations of interest reported at the meeting.

**PA13 TO APPROVE THE MINUTES OF THE MEETING OF THIS COMMITTEE HELD ON 10 JULY 2024**

**RESOLVED** – That the Minutes of this Committee held on 10 July 2024, be approved as a correct record.

**PA14 APPLICATIONS FOR PLANNING PERMISSION AND OTHER CONSENTS UNDER THE TOWN AND COUNTRY PLANNING ACT AND ASSOCIATED LEGISLATION**

A3	Implementation Limit (Three Years) The development hereby permitted shall be commenced not later than the expiration of three years from the date of this permission.  <b>Reason</b> - To accord with the provisions of Section 91(1) of the Town and Country Planning Act, 1990.
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**PA15 BRUNSWICK STREET CAR PARK, ST CUTHBERT'S WAY, DARLINGTON**

**24/00294/FUL** - Erection of a new office building (Use Class E(g)(i)) (GIA 9,639 sqm) with means of access, associated parking, hard and soft landscaping and associated works (amended biodiversity assessment and calculator and landscaping plan received 17 April 2024; Archaeology Report Addendum received 23 May 2024; amended plans received 6 June 2024).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Environmental Health Officer, Transport Policy Team and Ecology Officer, Durham County Council's Archaeology Team, the Lead Local Flood Authority, the Environment Agency, Northumbrian Water, Historic England, the Council's Heritage Consultant, Northern Gas Network, three objections and four comments received in relation to the original planning application, two further letters of objection and

one representation received in relation to the submission of amended plans, and the views of the Applicant's Agent, whom the Committee heard).

**RESOLVED** – That the Chief Executive be authorised to negotiate an agreement under Section 106 of the Town and Country Planning Act 1990 within six months to secure planning obligations that are appropriate for the development covering:

- a. A Travel Plan including a monitoring fee; a personalised Travel Advice fee and a Travel Plan Implementation bond.

That, upon satisfactory completion and signing of that agreement, Planning Permission be granted subject to the following conditions:

### **GENERAL**

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - a) Drawing Number DAR2-ATK-MB-XX-VS-A-007101 Rev P3 Planning External Visuals Sheet 1 Of 4
  - b) Drawing Number DAR2-ATK-MB-XX-VS-A-007102 Rev P3 Planning External Visuals Sheet 2 Of 4
  - c) Drawing Number DAR2-ATK-MB-XX-VS-A-007103 Rev P3 Planning External Visuals Sheet 3 Of 4
  - d) Drawing Number DAR2-ATK-MB-XX-VS-A-007104 Rev P3 Planning External Visuals Sheet 4 Of 4
  - e) Drawing Number DAR2-ATK-MB-ZZ-DR-A-104051 Rev P3 – Typical Façade Study Bay
  - f) Drawing Number DAR2-ATK-MB-ZZ-DR-A-023052 Rev P03 Contextual Sections
  - g) Drawing Number DAR2-ATK-MB-EE-DR-A-012101 Rev P3 North Elevation
  - h) Drawing Number DAR2-ATK-MB-EE-DR-A-012102 Rev P4 East Elevation
  - i) Drawing Number DAR2-ATK-MB-EE-DR-A-012103 Rev P4 South Elevation
  - j) Drawing Number DAR2-ATK-MB-EE-DR-A-012104 Rev P3 West Elevation
  - k) Drawing Number DAR2-ATK-MB-ZZ-DR-A-013103 Rev P3 Planning Section C
  - l) Drawing Number DAR2-ATK-MB-ZZ-DR-A-013104 Rev P2 Planning Section D
  - m) Drawing Number DAR2-ATK-XX-XX-DR-L 100007 Rev P05 Soft Landscaping Proposals
  - n) Drawing Number DAR2-ATK-ZZ-ZZ-DR-A-021003 Rev P3 Proposed Site Plan
  - o) Drawing Number DAR2-ATK-MB-00-DR-A-011101 Rev P4 Level 00 General Arrangement
  - p) Drawing Number DAR2-ATK-MB-01-DR-A-011102 Rev P4 Level 01 General Arrangement
  - q) Drawing Number DAR2-ATK-MB-02-DR-A-011103 Rev P4 Level 02 General Arrangement
  - r) Drawing Number DAR2-ATK-MB-03-DR-A-011104 Rev P4 Level 03 General Arrangement
  - s) Drawing Number DAR2-ATK-MB-04-DR-A-011105 Rev P4 Level 04 General

Arrangement

- t) Drawing Number DAR2-ATK-MB-05-DR-A-011106 Rev P4 Roof Plant Level General Arrangement
- u) Drawing Number DAR2-ATK-MB-RS-DR-A-011107 Rev P4 Roof Level General Arrangement
- v) Drawing Number DAR2-ATK-XX-RF-DR-A-811207 Rev P02 Building Services Level
- w) Drawing Number DAR2-ATK-XX-RF-DR-N-811217 Rev P02 Building Services Level
- x) Drawing Number DAR2-ATK-XX-WS-DR-E-641201 Rev P01 External Lighting Strategy Plan
- y) Drawing Number DAR2-ATK-XX-DR-H-100001 Rev P03 Vehicle Turning Movements Access & Egress
- z) Drawing Number DAR2-ATK-XX-DR-H-100002 Rev P03 Vehicle Turning Movements Access & Egress
- aa) Drawing Number DAR2-ATK-XX-XX-DR-H-100004 Rev P02 Site Access Vehicular GA
- bb) Drawing number DAR2-ATK-XX-XX-DR-L-100001 Rev P01 Site Context Plan
- cc) Drawing Number DAR2-ATK-XX-XX-DR-L 1000004 Rev P04 Site General Arrangement
- dd) Drawing Number DAR2-ATK-XX-XX-DR-L 1000005 Rev P04 Landscape General Arrangement
- ee) Drawing Number DAR-ATK-XX-XX-DR-L 1000006 Rev P04 Surfacing Plan
- ff) Drawing Number DAR-ATK-XX-XX-DR-L 1000008 Rev P03 Site Level Design
- gg) Drawing Number DAR-ATK-XX-XX-DR-L 1000014 Rev P02 Site Sections and Elevations
- hh) Drawing Number DAR-ATK-XX-XX-DR-L 1000015 Rev P02 Site Sections and Elevations
- ii) Drawing Number DAR-ATK-XX-XX-DR-L 1000016 Rev P02 Site General Arrangement South
- jj) Drawing Number DAR-ATK-ZZ-ZZ-DR-A 0211001 Rev P2 Location Plan

**REASON** - To ensure the development is carried out in accordance with the planning permission.

**EXTERNAL MATERIALS**

3. Notwithstanding any description of the external materials in the submitted application, no building shall be constructed above damp proof course until details of all the external materials to be used in the carrying out of this permission (including samples) shall be submitted to, and approved by, the Local Planning Authority in writing prior to the commencement of the development and the development shall not be carried out otherwise than in accordance with any such approved details.

**REASON** - In order that the Local Planning Authority may be satisfied as to the details of the development in the interests of the visual amenity of the area.

**CONSTRUCTION MANAGEMENT PLAN**

4. Prior to the commencement of the development, a site-specific Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the following, unless the Local Planning

Authority dispenses with any requirements specifically and in writing:

- a) Details of the dust control measures to be put in place during the construction phase of the development taking account of the guidance contained within the Institute of Air Quality Management "Guidance on the assessment of dust from demolition and construction" August 2023. Appendix C of the Air Quality Assessment by Hydrock submitted with the development contains details of the mitigation measures required to control dust during the construction phase and should be incorporated into the CMP.
- b) Methods for controlling noise and vibration during the construction phase shall take account of the guidance contained within BS5228 "Code of Practice for noise and vibration control on construction and open sites."
- c) Details of any piling to take place including duration and equipment type to be used. This shall include details of mitigation measures to control dust and vibration. The piling works must then be completed in accordance with the agreed methodology.
- d) Ecological lighting scheme in accordance with the submitted Ecological Impact Assessment dated January 2024.
- e) Details of any temporary construction access to the site including measures for removal following completion of construction works.
- f) Wheel and chassis underside washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
- g) the parking of contractors' site operatives and visitor's vehicles;
- h) areas for storage of plant and materials used in constructing the development clear of the highway;
- i) measures to manage the delivery of materials and plant to the site including routing and timing of deliveries and loading and unloading areas;
- j) details of the routes to be used by HGV construction traffic and highway condition surveys on these routes;
- k) protection of carriageway and footway users at all times during demolition and construction;
- l) protection of contractors working adjacent to the highway;
- m) erection and maintenance of hoardings including decorative displays, security fencing and scaffolding on/over the footway & carriageway and facilities for public viewing where appropriate;
- n) an undertaking that there must be no burning of materials on site at any time during construction;

- o) removal of materials from site including a scheme for recycling/disposing of waste resulting from demolition and construction works;
- p) details of the measures to be taken for the protection of trees;
- q) details of external lighting equipment; 18. details of ditches to be piped during the construction phases;
- r) a detailed method statement and programme for the building works; and
- s) contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.

The development shall not be carried out otherwise in complete accordance with the approved Plan.

**REASON** – In the interests of the amenity of the surrounding area and highway safety.

#### **BIODIVERSITY NET GAIN**

- 5. Prior to the commencement of the development, a Biodiversity Net Gain Plan and Habitat Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in complete accordance with the approved Plans.

**REASON** – In the interest of securing biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021)

- 6. Prior to the commencement of the development, a Biosecurity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan can be submitted as a standalone document or as part of a Construction Management Plan and the development shall not be carried out otherwise than in complete accordance with the approved Plans.

**REASON** – In order to manage existing Invasive Non Native Species present onsite.

#### **ARCHAEOLOGY**

- 7. No development shall commence until a Written Scheme of Investigation setting out a phased programme of archaeological work in accordance with 'Standards For All Archaeological Work In County Durham And Darlington' has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work will then be carried out in accordance with the approved scheme of works.

**REASON** - To safeguard any archaeological interest in the site, and to comply with Part 16 of the National Planning Policy Framework (NPPF) and Policy ENV1 of the Darlington Local Plan.

8. No part of an individual phase of the development as set out in the agreed programme of archaeological works shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, should be confirmed in writing to, and approved by, the Local Planning Authority.

**REASON** - To safeguard any archaeological interest in the site, and to comply with Part 16 of the National Planning Policy Framework (NPPF) ) and Policy ENV1 of the Darlington Local Plan.

### **LANDSCAPING**

9. The approved landscaping scheme shown on Drawing Number DAR2-ATK-XX-XX-DR-L 100007 Rev P05 shall be fully implemented concurrently with the carrying out of the development, or within such extended period which may be agreed in writing by, the Local Planning Authority and thereafter any trees or shrubs removed, dying, severely damaged or becoming seriously diseased shall be replaced, and the landscaping scheme maintained for a period of five years to the satisfaction of the Local Planning Authority.

Any changes to the landscaping scheme which impact upon Biodiversity Net Gain values on the site, shall result in an update of the submitted Biodiversity Net Gain metric and be submitted to and approved by the Local Planning Authority

**REASON** - In the interests of the visual amenities of the area and in the interests of biodiversity net gain

### **FLOOD RISK AND DRAINAGE**

10. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage design shall demonstrate that the surface water runoff generated during rainfall events up to and including the 1 in 100 years rainfall event, to include for climate change, will not exceed the agreed 30 litres/second total. The scheme shall demonstrate that the surface water drainage system(s) are designed in accordance with the standards detailed in the Tees Valley SuDS Design Guide and Local Standards (or any subsequent update or replacement for that document). The approved drainage system shall be implemented in accordance with the approved detailed design prior to completion of the development.

**REASON** - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2023 and policy DC2 of the Darlington Local Plan 2016 – 2036.

11. The development hereby approved shall not be implemented otherwise than in complete accordance with the drainage scheme contained within the submitted document entitled “Drainage Strategy P03” dated “March 2024”. The drainage scheme shall ensure that foul

flows discharge to the combined sewer at manhole 2608 and ensure that surface water discharges to the surface water sewer at manhole 2602 which discharges ultimately to a nearby watercourse. The surface water discharge rate shall not exceed the available capacity of 3.5l/sec that has been identified in this sewer. The final surface water discharge rate shall be agreed by the Lead Local Flood Authority.

**REASON** - To prevent the increased risk of flooding from any sources in accordance with the National Planning Policy Framework 2023 and policy DC2 of the Darlington Local Plan 2016 – 2036.

12. The development shall be carried out in accordance with the submitted Flood Risk Assessment dated 15 March 2024 and produced by Atkins Realis and the following mitigation measures it details:

- a) Finished floor levels shall be set at 39.32 metres above Ordnance Datum (AOD) as per section 5.5.25 page 35.
- b) Compensatory storage shall be provided to offset the volume of water displaced by the scheme occupying the design flood event with an allowance for climate change (as per section 5.5.17 page 33 highlighting a compensatory storage volume of 16m<sup>3</sup>); and
- c) The proposed bund will be installed to the dimensions in section 5.5.19 page 34, as to not increase off-site flood risk, and will be maintained for the lifetime of the development.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**REASON** – To reduce the risk of flooding to the proposed development and future occupants. And to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided.

#### **LAND CONTAMINATION**

13. Prior to the commencement of the development or at a time agreed in writing by the Local Planning Authority a Phase 3 Remediation and Verification Strategy shall be prepared by a "suitably competent person(s)" to address all human health and environmental risks associated with contamination identified in the Phase 2 Site Investigation and Risk Assessment. The Remediation and Verification Strategy which shall include an options appraisal and ensure that the site is suitable for its new use and shall be submitted to and agreed in writing with the Local Planning Authority, unless the Local Planning Authority dispenses with the requirement specifically and in writing. No alterations to the Remediation and Verification Strategy or associated works shall be carried out without the prior written agreement of the Local Planning Authority. The Phase 3 Remediation and Verification works shall be conducted, supervised and documented by a "suitably competent person(s)" and in accordance with the approved Phase 3 Remediation and Verification Strategy.

**REASON** - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

14. Any contamination not considered in the Phase 3 Remediation and Verification Strategy but identified during subsequent construction/remediation works shall be subject to further risk assessment and remediation proposals agreed in writing with the Local Planning Authority and the development completed in accordance with any further agreed amended specification of works.

**REASON** - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

15. A Phase 4 Verification and Completion Report shall be compiled and reported by a "suitably competent person(s)", documenting the purpose, objectives, investigation and risk assessment findings, remediation methodologies and validation results obtained to demonstrate the completeness and effectiveness of all approved remediation works conducted. The Phase 4 Verification and Completion Report shall be submitted and agreed in writing with the Local Planning Authority within 2-months of completion of the development unless the Local Planning Authority dispenses with the requirement specifically and in writing. The development site or agreed phase of development site, shall not be occupied until all of the approved investigation, risk assessment, remediation and verification requirements relevant to the site (or part thereof) have been completed, reported and approved in writing by the Local Planning Authority.

**REASON** - The site may be contaminated as a result of past or current uses and/or is within 250 metres of a site which has been landfilled and the Local Planning Authority wishes to ensure that the proposed development can be implemented and occupied with adequate regard to environmental and public protection.

#### **HIGHWAYS AND SUSTAINABLE TRANSPORT**

16. The following schemes of off-site highway mitigation measures must be completed prior to the first occupation of the development unless agreed otherwise in writing with the Local Planning Authority:

- a) Footway and cycleway infrastructure works on Brunswick Street & St Cuthberts Way prior to: Occupation of the site.
- b) Footways and pedestrian dropped crossing provision at Tannery Yard prior to: Occupation of the site.
- c) Upgraded signalised crossing facility on Parkgate. prior to: Occupation of the site.

For each scheme of off-site highway mitigation, except for investigative works, no excavation



or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority. An independent Stage 2 Road Safety Audit carried out in accordance with GG119 - Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site. A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site. Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.

**REASON** - To ensure that the design is appropriate in the interests of the safety and convenience of highway users.

17. Prior to the first occupation of the development, the access, parking, manoeuvring, and turning areas for all users shall be constructed in accordance with details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

**REASON** - To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

18. Notwithstanding the details shown on the approved plans, all Hostile Vehicle Mitigation (HVM) measures (bollards or other barriers) shall not be located within public highway.

**REASON** – In the interests of highway and pedestrian safety.

19. Notwithstanding the details shown on the approved plans, the drop-down bollards which control access to the site via Brunswick Street shall be set back further into the site to ensure that a car can pull clear of the public highway, to avoid obstruction of the footway. The general requirement for this is 6.0m.

**REASON** – In the interests of highway and pedestrian safety.

20. No building shall be constructed above damp proof course until precise details of cycle parking provision has been submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall accord with the guidance in LTN 1/20 on Cycle Infrastructure Design as a minimum. The development shall not be occupied until the cycle parking has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.

**REASON** - To comply with policy IN4 of the Local Plan and the guidance in LTN 1/20 on Cycle Infrastructure Design.

21. Notwithstanding the requirements for a Stage1 & 2 Road Safety Audit at submission of

detailed design, further independent Stage 3 & 4 Road Safety Audits must be carried out in accordance with DMRB GG119 - Road Safety Audits or any superseding regulations. Audits Shall Cover all off-site highway works on Parkgate, Brunswick Street, St Cuthberts Way, and Tannery Yard. The design proposals must be amended in accordance with the recommendations of the submitted Safety Audit within a timescale to be agreed in writing with the Local Planning Authority.

**REASON** - To ensure that the design is appropriate in the interests of the access, safety, and convenience of highway users.

22. The electric charging spaces shown on the approved plans shall be designed to be fully accessible and be in situ prior to the first occupation of the development. The spaces shall be made permanently available for the lifetime of the development.

**REASON** – To ensure that the development accords with policy IN4 of the Darlington Local Plan 2016 – 2036.

23. No building shall be constructed above damp proof course until details of the accessible car parking bays has been submitted to and approved in writing to the Local Planning Authority in consultation with the Local Highway Authority. The development shall not be occupied until the accessible parking bays has been implemented and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the lifetime of the development.

**REASON** - To ensure that sufficient parking for disabled people is provided.

24. Notwithstanding the Full Travel Plan dated January 2024 (Rev 1) submitted in support of the planning application and prior to first occupation of the development, a Travel Plan (TP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority. The Travel Plan shall be added to the Modeshift Stars Community / Modeshift Stars Business/Residential site, and the Travel Plan shall be continued in accordance with the details contained therein, including attaining Good standard within 12 months of the occupation of the development and the submission and approval of annual reviews until five years post completion of the site, unless otherwise agreed in writing by the Local Planning Authority.

**REASON** - To deliver sustainable transport objectives including a reduction in private vehicular journeys and the increased use of public transport, walking, wheeling and cycling and comply with policy IN3 of the adopted Darlington Local Plan.

25. Tannery Yard shall not be used as a primary vehicular access, and shall be used for no vehicular access purposes other than for maintenance and Fire and Emergency purposes unless otherwise agreed in writing by the Local Planning Authority

**REASON** - In the interest of the amenity of the area.

#### **AMENITY**

26. No fixed external mechanical plant, equipment or machinery shall be installed on site

until an assessment has been carried out and submitted to the Local Planning Authority to show that the rating level (L<sub>A</sub>,T<sub>r</sub>) of any external plant, equipment or machinery associated with the development (whether operating individually or simultaneously) shall be less than -5dB below the existing daytime and night-time background sound level (L<sub>A</sub>90,T) at noise sensitive receptors. The assessment must be carried out by a suitably qualified acoustic consultant/engineer (appointed by the applicant) and be in accordance with BS4142: – ‘Method for rating and assessing industrial and commercial sound’. The noise sensitive receptors and background sound levels to be used in the BS4142 assessment shall be agreed in advance with the Local Planning Authority. Any mitigation measures shown to be necessary following the assessment shall be implemented prior to the plant, equipment or machinery first becoming operational and thereafter shall be retained and maintained for the life of the development.

**REASON** – In the interests of safeguarding the general amenity of the surrounding area.

27. No construction activities, including the use of plant and machinery, as well as deliveries to and from the site, shall take place outside the hours of 08.00-18.00 Monday to Friday, 09.00-13.00 Saturday with no activities on Sunday or Bank/Public Holidays without the prior written permission of the Local Planning Authority

**REASON** – In the interests of safeguarding the general amenity of the surrounding area.

28. If piled foundations are proposed, prior to commencement of development, details of the piling method including justification for its choice, means of monitoring vibration and groundwater risk assessment, if necessary, in accordance with recognised guidance shall be submitted to and agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved details.

**REASON** - In the interests of amenity.

#### **ECOLOGY**

29. The development shall not be carried out otherwise than in complete accordance with the submitted document entitled “ Darlington Economic Campus – Brunswick Street. Ecological Impact Assessment” dated January 2024 produced by Atkins Realis unless otherwise agreed in writing by the Local Planning Authority

**REASON** – In the interests of biodiversity and the visual appearance of the development.

#### **HERITAGE**

30. Prior to the first occupation of the development, precise details of historic interpretation boards to be located within the public realm areas shall be submitted to and approved in writing by the Local Planning Authority.

**REASON** – To secure a means of revealing the significance of the Parkgate Conservation Area and the historic contribution of the application site within the Area.

#### **BREAAM STANDARDS**

31. The development hereby approved shall meet a minimum of BREAAAM “Very Good” standard.

**REASON** - To ensure that the development complies with Policy DC1 of the Local Plan 2016 – 2036.

#### **CLIMATE CHANGE**

32. Prior to the commencement of development, precise details of energy efficiency measures and low carbon technologies for the relevant development cell shall be submitted to and approved in writing by the Local Planning Authority. The development of the relevant development cell shall not be carried out otherwise than in complete accordance with the approved details.

**REASON** - In order to comply with Policy DC1 of the Darlington Local Plan.

#### **GENERAL DESIGN**

33. Notwithstanding the details shown on the approved plans and submitted with the planning application, precise details of the following shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development:

- a) Details of perimeter fencing
- b) Details of retaining/boundary walls and gates
- c) Details of seating and benches
- d) Details of railings
- e) Details of cycle store building
- f) Details of Generator and Tank Enclosure
- g) Details of Bin Store
- h) Static and retractable bollards
- i) Details of Sprinkler Pump Enclosure and Sprinkler Tanks
- j) Details of Dog Spend

**REASON** - In the interests of the visual appearance of the development and surrounding area

#### **BROADBAND CONNECTIVITY**

34. Prior to the any commencement of development above damp proof course level, a statement shall be submitted to and approved in writing by the Local Planning Authority detailing the measures necessary for providing broadband connectivity, including ducts, to the building hereby approved. The approved infrastructure shall be laid out in accordance with the details as approved at the same time as other services during the construction process and be available for use on the first occupation of each building and thereafter be so maintained for the lifetime of the development.

**REASON** - To ensure that the development is provided with high quality broadband services enhancing its attractiveness, in accordance with Policy IN8 of the Local Plan.

## TREES

35. Prior to the commencement of the development, an Arboricultural Impact Assessment, Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

**REASON** – In the interests of the visual appearance of the development and to protect retained trees within/or outside the application site.

(**NOTE:** Should the 106 Agreement not be completed within the prescribed period without written consent of the Council to extend this time, the minded to approve status of the permission shall be considered to be a refusal on the grounds that the application has failed to provide adequate mitigation measures to provide a satisfactory form of development in accordance with the requirements of Darlington Local Plan 2016-2036, without any further reference to the Planning Committee).

## PA16 CONISCLIFFE ROAD

**23/00681/DC** - Public realm improvement works including widening of footways and alignment of the carriageway to accommodate street cafes, installation of trees, planters, bollards, seating, a green space (amended plans and reports received 28 May 2024, 21 June 2024 and 15 July 2024).

(In making its decision, the Committee took into consideration the Planning Officer's report (previously circulated), the views of the Council's Environmental Health Officer, Climate Change Officer, Transport Policy Officer and Highways Engineer, Darlington Association on Disability, Northern Gas Networks, four letters of support and eight letters of objection in terms of the original application).

**RESOLVED** – That permission be granted pursuant to Regulation 3 of the Town and Country Planning Regulations 1992, subject to the following Planning conditions:

1. A3 – Implementation Limit (Three Years)
2. The development hereby permitted shall be carried out in accordance with the approved plans, as detailed below:
  - a) Drawing Number 100-01 P02 - General Arrangement
  - b) Drawing Number 100-09 P02 – Residual Risk
  - c) Drawing Number 100-12 P02 – Consultation Plan
  - d) Drawing Number 1100-01 P02 – Kerb Reference Sheet
  - e) Drawing Number 1200-02 P02- Proposed Signage and Road Markings
  - f) Drawing Number 1300-01 P02 – Proposed Street Lighting Layout
  - g) Drawing Number 200-01 P02 – Site Clearance
  - h) Drawing Number 500-01 P01 – Proposed Drainage Layout
  - i) Drawing Number 700-04 P01 – Pavement Texture and Aggregate Properties
  - j) Drawing Number TV377 CON 03D – Landscape Layout

- k) Drawing Number 1100 -02 P01 Typical Kerb Details
- l) Drawing Number 700-01 P01 Road Pavement Construction Layout
- m) Drawing Number 700-02 P01 Typical Highway Cross Section
- n) Drawing Number 100-02 Site Extents
- o) Drawing Number 100-03 Accommodation Works
- p) Drawing Number 100-04 Site Restrictions
- q) Drawing Number 100-05 Adopted Highway
- r) Drawing Number 100-06 Land Ownership
- s) Drawing Number 100-08 Diversion Plan
- t) Drawing Number 100-10 Traffic Management North
- u) Drawing Number 100-11 Traffic Management South
- v) Drawing Number 100-13 Core Hole Locations
- w) Drawing Number 100-14 Setting Out Layout
- x) Drawing Number 100-15 Topographic Survey
- y) Drawing Number 1100-03 Typical Kerb Details
- z) Drawing Number 1100-04 Typical Raised Table Details
- aa) Drawing Number 1200-03.1 Sign Schedule
- bb) Drawing Number 1200-03.2 Sign Schedule
- cc) Drawing Number 1200-03.3 Sign Schedule
- dd) Drawing Number 1200-03.4 Sign Schedule
- ee) Drawing Number 1200-03.5 Sign Schedule
- ff) Drawing Number 1200-03.6 Sign Schedule
- gg) Drawing Number 1200-03.7 Sign Schedule
- hh) Drawing Number 1200-03.8 Sign Schedule
- ii) Drawing Number 1200-03.9 Sign Schedule
- jj) Drawing Number 1200-03.10 Sign Schedule
- kk) Drawing Number 1200-03.11 Sign Schedule
- ll) Drawing Number 1200-03.12 Sign Schedule
- mm) Drawing Number 1200-03.13 Sign Schedule
- nn) Drawing Number 1200-03.14 Sign Schedule
- oo) Drawing Number 1200-03.15 Sign Schedule
- pp) Drawing Number 1200-03.16 Sign Schedule
- qq) Drawing Number 1200-03.17 Sign Schedule
- rr) Drawing Number 1200-03.18 Sign Schedule
- ss) Drawing Number 1200-03.19 Sign Schedule
- tt) Drawing Number 1200-03.20 Sign Schedule
- uu) Drawing Number 1200-03.21 Sign Schedule
- vv) Drawing Number 1200-03.22 Sign Schedule
- ww) Drawing Number 1200-04 P02 Typical Bollard Details
- xx) Drawing Number 500-02 Drainage Standard Details
- yy) Drawing Number 600-01 Coniscliffe Road Cross Section
- zz) Drawing Number 600-02 Coniscliffe Road Cross Section
- aaa) Drawing Number 600-03 Coniscliffe Road Cross Section
- bbb) Drawing Number 600-04 Hogarth Court Cross Section
- ccc) Drawing Number 600-04 P01 Grange Road Cross Section
- ddd) Drawing Number 600-05 Coniscliffe Road Long Section
- eee) Drawing Number 600-05 P01 Coniscliffe Road Long Section
- fff) Drawing Number 600-05 Hogarth Court Long Section
- ggg) Drawing Number 600-07 P01 Grange Road Long Section

- hhh) Drawing Number 700- 03 Typical Highway Cross Section
- iii) Drawing Number 700- 05 Pavement Design Details
- jjj) Drawing Number 700- 06 Speed Table Specification
- kkk) Drawing Number DARPLA 010 Horizontal Illuminance Layout Plan
- lll) Drawing Number tv377 con 04C Planting Plan
- mmm) Drawing Number tv377 con 05A Tree Pit Detail
- nnn) Drawing Number TV377CON 06B Seating
- ooo) Drawing Number 300-01 Birdsmouth Fencing Standard Detail
- ppp) Drawing Number UTL 395 1263 RFL and GPR Scanning Results

**REASON** - To ensure the development is carried out in accordance with the planning permission.

3. The development shall not be carried out otherwise than in complete accordance with the document entitled "Coniscliffe Road Construction Management Plan Rev 02" dated 24 May 2024 and produced by Darlington Borough Council unless otherwise agreed in writing by the Local Planning Authority.

**REASON** – In the interest of amenity and highway safety.

#### **PA17 NOTIFICATION OF DECISION ON APPEALS**

The Chief Executive reported that the Inspectors appointed by the Secretary of State for the Environment had:

- (a) Allowed the appeal by Mr Dale Jefferies against this authority's decision to refuse permission for erection of a detached single garage and gym with storage area above (Resubmission) at 3 Roseberry View, Sadberge, Darlington, DL2 1FH (Ref No 24/00118/FUL).
- (b) Dismissed the appeal by Mr and Mrs Turner against this authority's decision to refuse permission for change of use of agricultural land for tourist accommodation including the siting of 3 No. holiday lodges and 3 No. hot tub enclosures with car parking, associated landscaping and gravel pathways including the creation of secondary access. Conversion of store room to form kitchen/office and garage together with landscaping and associated works (Retrospective Application) (Amended plans/information received 5th October 2023) at Land To The Rear Of Hazelfield Cottage, Elstob Lane, Great Stainton, TS21 1HP (Ref No 23/00588/FUL).

**RESOLVED** – That the report be received.

#### **PA18 NOTIFICATION OF APPEALS**

The Chief Executive reported that Rory Brownless had appealed against this Authority's decision to refuse permission for works to 1 no. Pine (T4) protected under Tree Preservation Order (No.17) 2006 - reduce easterly limb overhanging house by up to 3.5 m at 2 Quaker Lane, Darlington, DL1 5PB (24/00064/TF).

**RESOLVED** – That the report be received.

**PA19 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** - That, pursuant to Sections 100A(4) and (5) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the ensuing item on the grounds that it involves the likely disclosure of exempt information as defined in exclusion paragraph 7 of Part I of Schedule 12A to the Act.

**PA20 COMPLAINTS RECEIVED AND BEING CONSIDERED UNDER THE COUNCIL'S APPROVED CODE OF PRACTICE AS OF 26TH JULY 2024 (EXCLUSION PARAGRAPH NO. 7)**

Pursuant to Minute PA11/July/2024, the Chief Executive submitted a report (previously circulated) detailing breaches of planning regulations investigated by this Council, as at 26<sup>th</sup> July 2024.

**RESOLVED** - That the report be noted.